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Duc Minh Nguyen, Art Unit 2643	U.S. Patent and Trademark Office	(703) 308-7527	(703) 746-7251

RE: APPLICATION NO. 09/665,780
 SUBSCRIPTION-BASED BILLING METHODS AND SYSTEMS FOR SHARED NETWORK
 MODEM POOLS
 FILED SEPT. 20, 2000

FOR DISCUSSION PURPOSES ONLY
 DO NOT ENTER

Please deliver to Examiner Nguyen ASAP

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Attorney Docket No. 101948058US

**FOR DISCUSSION PURPOSES ONLY
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IN RE APPLICATION OF: Herman Chien

APPLICATION No.: 09/665,780

FILED: September 20, 2000

**FOR: SUBSCRIPTION-BASED BILLING
METHODS AND SYSTEMS FOR SHARED
NETWORK MODEM POOLS**

EXAMINER: DUC MINH NGUYEN

ART UNIT: 2643

CONF. No.: 6102

PROPOSED AGENDA FOR TELEPHONE INTERVIEWCommissioner for Patents
Washington, D.C. 20231

The applicant proposes the following agenda for the telephone interview scheduled for Monday, April 28, 2003, at 2 p.m. EST. The applicant's representative will contact the Examiner at that time.

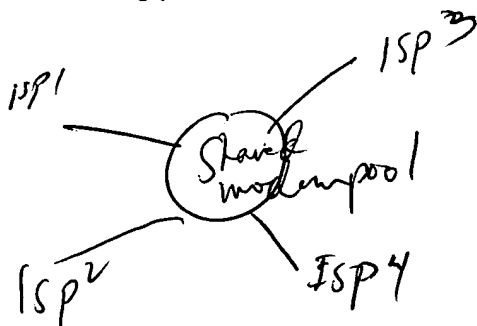
In response to a final Office Action dated January 30, 2003, the applicant previously filed an Amendment After Final on March 31, 2003. The Examiner responded with an Advisory Action that was mailed on April 15, 2003, which indicated that the proposed amendments raise new issues which would require a new search.

As the applicant is considering pursuing a Request for Continued Examination ("RCE") to pursue claims similar to those included in the Amendment After Final, the applicant would like to briefly discuss with the Examiner how those claims compare to the previously cited prior art.

In particular, at least some embodiments of Applicant's invention are related to functionality which appears to be significantly different from that of the cited prior art. Some such embodiments are directed to restricting the ability of network users to place outgoing phone calls over modems in the network (e.g., one of multiple modems in a shared modem pool) so that only authorized users of the network are allowed to place

such calls, thus ensuring that billing of the appropriate user can be accomplished by the operator of the shared modem pool – this restricting of network users involves authenticating users as being valid network users and as being authorized to place the call before the call over the modem is allowed to take place. As an example, independent claim 15 (which has been unamended since before the final Office Action was issued) recites “receiving a request from a user of the network to place a telephone call via a shared modem pool having multiple modems; receiving user identifying information to authenticate the request as coming from a valid user of the network; if the user identifying information received is authenticated, . . . placing the telephone call via one of the modems of the shared modem pool . . .”. The other pending independent claims 6 and 10 were amended in the Amendment After Final to include similar language.

Conversely, the cited Ronen (U.S. Patent No. 5,745,556) and Nolting (U.S. Patent No. 6,351,453) references are unrelated to restricting the ability of network users to place outgoing calls in any situation, let alone over shared modems. Ronen does discuss an ISP that bills users for information and/or interactive services, but this occurs after the user has first placed a call to the ISP or to its associated billing service. Moreover, Ronen would have no motivation to include the recited authentication of users prior to allowing outgoing calls to be placed in order to allow corresponding billing of the users, as Ronen is expressly directed to situations in which there is no such defined relationship between a user and an ISP (“[a]n object of the present invention is to provide a payment mechanism for a user to access an ISP . . . which does not require . . . the establishment of a financial relationship between the user and the ISP” - Ronen, 1:44-48). Nolting mentions that an ISP may use a modem pool to receive incoming phone calls from its subscribers, which of course is well-known in the



Attorney Docket No. 101948058US

prior art, but is unrelated to restricting the ability of network users to place any types of calls or to billing users for such calls.

Respectfully submitted,
Perkins Coie LLP

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